

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

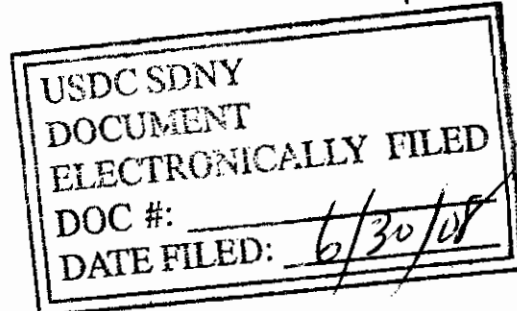
UBS AG, Stamford Branch,

*Plaintiff,*

-against-

HealthSouth Corporation,

*Defendant.*



) Civil Action No. 07 CV 8490 (LAP)  
) ECF Case  
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)

**JOINT STIPULATION AND ~~PROPOSED~~ ORDER**

WHEREAS plaintiff UBS AG, Stamford Branch ("UBS AG") moved this Court for summary judgment in the above-captioned action;

WHEREAS the Court, on June 6, 2008, rendered an Opinion granting UBS AG's motion for summary judgment;

WHEREAS Judgment was entered on June 12, 2008, for UBS AG for a sum of \$30,262,956.44;

WHEREAS an Amended Judgment was entered on June 16, 2008, for UBS AG for a sum of \$30,276,837.68 (the "Amended Judgment");

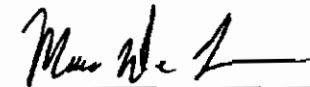
WHEREAS the Court, on June 17, 2008, issued an Order denying the motion of HealthSouth Corporation ("HealthSouth") to stay enforcement of the Amended Judgment pending HealthSouth's contemplated appeal without HealthSouth posting a supersedeas bond;

WHEREAS the parties have conferred and agreed that, in lieu of posting a supersedeas bond, HealthSouth may arrange for issuance of a Letter of Credit in favor of UBS AG, for \$33,607,289.82, which is 111% of amount of the Amended Judgment, which shall be extended by HealthSouth pending appeal through March 10, 2012, unless drawn by UBS AG or otherwise agreed by the parties or ordered by this Court, and that such letter of credit will have

the same effect as a supersedeas bond on staying the enforcement of the Amended Judgment pursuant to FED.R.CIV.P. 62(d);

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for the parties that in lieu of a bond, the issuance of a Letter of Credit in favor of UBS AG, in the form attached hereto, in the amount of \$33,607,289.82, shall be extended by HealthSouth pending appeal through March 10, 2012 and stay the enforcement of the Amended Judgment pending HealthSouth's appeal until that date, unless (1) the letter of credit is drawn by UBS AG or (2) otherwise agreed by the parties or ordered by this Court.

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IT IS SO ORDERED.

DATED: June 30, 2008



Hon. Loretta A. Preska  
United States District Judge